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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,973	09/29/2003	Allan J. Bobren	12560 (6365/88822)	2596

7590 07/15/2004

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Chicago, IL 60606

EXAMINER

PARADISO, JOHN ROGER

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,973

Applicant(s)

BOBREN, ALLAN J.

Examiner

John R Paradiso

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over SHIBAZAKI ET AL (US 5442899) in view of WILLARD ET AL (US 3783773).

SHIBAZAKI ET AL discloses a strapping machine for positioning a strap around a load (A15) in which a chute (A4) is attached to a frame, a strap is guided around the chute and then the leading edge is welded to a second area of the strap by means of a strapping head (A12), and the strap is tightened and then sealed to itself.

SHIBAZAKI ET AL does not disclose the use of roller sets for infeed or outfeed conveyors.

WILLARD ET AL discloses a banding machine in which an infeed roller set conveys a package (18) to a strapping head (16) and an outfeed roller set (26) conveys the banded package away from the strapping head.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the infeed and/or outfeed roller set of WILLARD ET AL to the invention of

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SHIBAZAKI ET AL in order to reduce the amount of work done by the machine operator in preparing packages for banding.

Regarding claims 2 and 4, the use of hook / slot connectors to join machinery pieces to a frame is well known in the art (and in everyday life - my own bedframe uses hooks on the connectors and slots on the frame to connect the bedframe together) and it would have been obvious to one of ordinary skill in the art at the time the invention was made to use hook / slot connectors to join the roller sets to the frame of the combination of SHIBAZAKI ET AL and WILLARD ET AL in order to provide a secure and rapidly detachable method of connecting the machine parts so that it can be assembled / disassembled quickly for maintenance, etc.

Reference Citations

3. The following prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

- OLIVIERSE ET AL discloses a packaging machine using several roller sets at different areas.
- TIPTON ET AL discloses a packaging machine using roller sets as an output conveyor.
- HATAYA discloses a strapping machine with a chute.
- BOBREN ET AL (US 6418838) discloses a banding machine with a chute.
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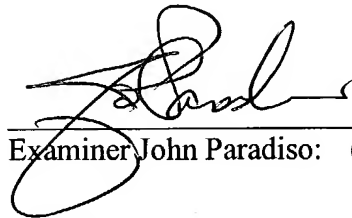
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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center Receptionist.



Examiner John Paradiso: (703) 308-2825

July 12, 2004

Additional Phone Numbers:

Supervisor Rinaldi Rada: (703) 308-2187

TC 3700 Receptionist: (703) 308-1148

Customer Service: (703) 306-5648

Fax (directly to Examiner) (703) 746-3253

Fax (Official): (703) 872-9306